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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,159	12/15/2003	Ilan Twig	**WF-0004	2105
23377 7590 11/09/2007 WOODCOCK WASHBURN LLP CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891			EXAMINER CHEN, TE Y	
			ART UNIT 2161	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,159

Applicant(s)

TWIG ET AL.

Examiner

Susan Y. Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-23 and 25-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-23 and 25-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on Aug. 30, 2007 has been entered.

This office action is in response to the amendment filed on Aug. 30, 2007.

Claims 3-23 and 25-32, are pending for examination, claims 1-2 and 24 have been canceled; claims 3, 14, 17, 19, 20, 30 and 31 have been amended; claim 32 have been newly added.

The terminal disclaimer filed on Aug. 30, 2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,665,676 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 3-16, 18-23, and 25-32, are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,807,558 issued to Hassett et al. (hereinafter referred as Hassett).

Claim 3:

Hassett discloses a system for presenting results of a search query pertaining to commercial enterprises, the system comprising a server executing a software application [e.g., Abstract] being designed for:

storing geographical map data with data pertaining to commercial enterprises [e.g., the units: 114, 134, etc. Fig. 1A; col. 6 and associated texts, col. 42, lines 33-51];

receiving from a user client networked to said server a search request [e.g., the unit 116, Fig. 1A and associated texts]; and

providing said user client with data pertaining to a plurality of commercial enterprises matching said search request such that said user of said user client is presented with an image including said plurality of commercial enterprises

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superimposed over geographical map data [e.g., col. 6, lines 31-67, Fig(s). 1-3 and associated texts], wherein a level of visibility of each commercial enterprise of said plurality of commercial enterprises in said image is determined according to at least one selection criterion [e.g., Abstract, col. 3, lines 6-20].

Claim 4:

Hassett further discloses that said map data is provided by said server along with said data pertaining to a plurality of commercial enterprises [e.g., col. 2, lines 6-13].

Claim 5:

In addition to the limitations recited in claim 3, Hassett further discloses that said map data is stored by said user client and said data pertaining to a plurality of commercial enterprises includes information for superimposing each of said plurality of commercial enterprises over said map data [e.g., col. 6, lines 31-67].

Claim 6:

In addition to the limitations recited in claim 3, Hassett further discloses that said plurality of commercial enterprises include businesses and/or advertised content [e.g., col. 7, lines 17-33].

Claim 7:

In addition to the limitations recited in claim 3, Hassett further discloses that said at least one selection criteria forms a part of a user-specific profile [e.g., col. 9, lines 15-56].

Claim 8:

In addition to the limitations recited in claim 3, Hassett further discloses that the user-specific profile is generated by said server according to information provided from said user client [e.g., Fig. 2 and associated texts].

Claim 9:

In addition to the limitations recited in claim 3, Hassett further discloses that said image further displays commercial enterprise-related information for each of said plurality of commercial enterprises matching said search request [e.g., The Dynamic Actors section starting at col. 18, line 29 at seq. Fig(s) 21-22 and associated texts].

Claim 10:

In addition to the limitations recited in claim 9, Hassett further discloses that said commercial enterprises-related information is provided to said user by said server as various layer of information [e.g., the unit: 104, Fig. 1A and associated texts].

Claim 11:

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In addition to the limitations recited in claim 3, Hassett further discloses that said server is further capable of providing said user with information relating to a group of commercial enterprises [e.g., the unit: 114, Fig. 1A and associated texts].

Claim 12:

In addition to the limitations recited in claim 3, Hassett further disclose that said server is also capable of managing an affiliation of said user to consumer clubs associated with at least one commercial enterprise of said plurality of commercial enterprises [e.g., col. 44, lines 35 – col. 45, lines 7].

Claim 13:

In addition to the limitations recited in claim 3, Hassett further discloses that each of said plurality of commercial enterprises is capable of periodically providing said server with information relating thereto [e.g., col. 10, lines 7-48].

Claim 14:

In addition to the limitations recited in claim 3, Hassett further discloses that said selection criterion includes relevancy of each of said plurality of commercial enterprises to said search request [e.g., col. 7, lines 17-33, col. 9, lines 1-5].

Claim 15:

In addition to the limitations recited in claim 3, Hassett further discloses that said level of visibility is a function of a graphical display size, color and/or animation of each of said plurality of commercial enterprises [e.g., Fig.(s) 7A-B and associated texts].

Claim 16:

In addition to the limitations recited in claim 3, Hassett further discloses that said server is capable of enabling bidirectional communication between said user client and each of said plurality of commercial enterprises [e.g., the use of Internet/Intranet protocols in Fig. 1B].

Claim 18:

In addition to the limitations recited in claim 10, Hassett further discloses that said commercial enterprise-related information is updated dynamically by said server [e.g., col. 1, lines 44 – col. 2, lines 5].

Claim 19:

Hassett discloses a system for presenting results of a search query pertaining to commercial enterprises [e.g., Abstract], the system comprising a server executing a software application being designed for:

storing geographical map data with data pertaining to commercial enterprises at geographical locations represented by said geographical map data [e.g., the units: 114, 134, etc. Fig. 1A; col. 6 and associated texts, col. 42, lines 33-51];

receiving from a user client networked to said server a search request [e.g., the unit 116, Fig. 1A and associated texts]; and

providing said user client with an image displaying a plurality of commercial enterprises matching said search request [e.g., col. 6, lines 31-67, Fig(s). 1-3 and associated texts], wherein a level of visibility of each commercial enterprise of said plurality of commercial enterprises in said image is determined according to at least one selection criterion provided by a user of said user client or by said server [e.g., Abstract, col. 3, lines 6-20].

Claim 20:

In addition to the limitations recited in claim 19, Hassett further discloses that said at least one selection criterion provided by said user is geographical location [e.g., the URL in Fig. 32].

Claim 21:

In addition to the limitations recited in claim 19, this claim recites similar subject matters as claim 15, hence are rejected along the same rational.

Claim 22:

In addition to the limitations recited in claim 19, Hassett further discloses that each of said plurality of commercial enterprises matching said search request is

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positioned in said image according to its respective location on a map [e.g., col. 6, lines 47-57].

Claim 23:

In addition to the limitations recited in claim 19, this claim recites similar subject matters as claim 9, hence are rejected along the same rational.

Claim 25:

In addition to the limitations recited in claim 3, Hassett further discloses that said plurality of commercial enterprises include advertised content [e.g., col. 7, lines 17-33].

Claim 26:

In addition to the limitations recited in claim 3, this claim recites similar subject matters as claim 15, hence are rejected along the same rational.

Claim 27:

In addition to the limitations recited in claim 3, Hassett further discloses that said level of visibility is a function of an animation of each of said plurality of commercial enterprises [e.g., the units: 200, 210, 202, 204, 206, etc., Fig. 2 and associated texts] .

Claim 28:

In addition to the limitations recited in claim 19, this claim recites similar subject matters as claim 15, hence are rejected along the same rational.

Claim 29:

In addition to the limitations recited in claim 19, this claim recites similar subject matters as claim 27, hence are rejected along the same rational.

Claim 30:

Hassett discloses a computerized geographic-mapping method [e.g., Abstract], comprising:

storing geographical map data with data pertaining to commercial enterprises at geographical locations represented by said geographical map data [e.g., the units: 114, 134, Fig. 1A; col. 6 and associated texts, col. 42, lines 33-51];

receiving search results of a search for at least one category of commercial enterprises [e.g., Fig. 1A and associated texts] and

in response thereto, automatically transmitting to a remote client machine indicia of locations of commercial enterprises belonging to at least one specified category, which indicia, when applied to a display device at the remote client machine, are capable of displaying graphical indicators of said commercial enterprises superimposed on a geographical map, the locations of said transmitted commercial enterprises being within the geographic area defined by said geographical map [e.g., col. 5, lines 23 – col. 7, lines 39, Fig. 1A-1B and associated texts].

Claim 31:

In addition to the limitations recited in claim 30, this claim recites similar subject matters as claim 22, hence are rejected along the same rational.

Claim 32:

Hassett discloses a computerized geographic-mapping method for downloading map data [e.g., Abstract], comprising:

maintaining a database of layers of map data, each layer providing progressively more detail to be displayed at the client computer [e.g., the units: 114, 134, Fig. 1A, Fig. 10 and associated texts]; and

downloading to the client computer map data of the details desired by the customer [e.g., col. 7, lines 3-16].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17, is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,807,558 issued to Hassett, in view of U.S. Patent No. Publication No. 2002/0035611 issued to Dooley.

Claim 17:

In addition to the limitations recited in claim 3, Hassett did not specifically disclose that at least one selection criteria provided by said server is a subscription fee paid by each of said plurality of commercial enterprises.

However, Dooley discloses that at least one selection criteria provided by said server is a subscription fee paid by each of said plurality of commercial enterprises [e.g., Abstract, the coupon-advertisements at sections: 0038-0036, 0070].

Hassett and Dooley are in the analogous art to facilitate the searching of commercial enterprises data based on user's profile via a geographical mapping over networked protocols [e.g., Hassett: Fig. (s) 1-10 and associated texts; Dooley: Fig(s). 1-3 and associated texts], thus, with the teachings of Hassett and Dooley in front of him/her, it would have been obvious for an ordinary skilled person in the art at the time the invention was made to explicitly recites the details of the well known coupon advertisements technique as shown by Dooley, because by doing so, the combined invention will be upgraded to provide user-specific coupon advertisements that is one selection criteria provided by said server with a subscription fee paid by each of said plurality of commercial enterprises, such that the combined system could use the criteria setup via the server to perform a customized network search.

Response to Arguments

Applicant's arguments with respect to claims 3-23 and 25-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

To expedite the process of re-examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y. Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mofiz Apu can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Susan Y Chen
Examiner
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Oct. 30, 2007